

instrumentality of public transportation that is occupied by one or more persons is guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding five hundred DOLLARS (\$500.00), or to undergo imprisonment not exceeding one (1) year or both, at the discretion of the court.

DRAFTER'S NOTE:

Error: Omitted word in Article 27, § 111B.

Occurred: Ch. 372, Acts of 1969.

139.

(a) (1) If any individual who is legally detained in the State penitentiary or a jail, house of correction, reformatory, station house, or other place of confinement in this State or who is committed to the [Drug Abuse Administration] ALCOHOL AND DRUG ABUSE ADMINISTRATION for examination or inpatient treatment escapes, the individual is guilty of a felony and on conviction by the circuit court for the county in which the escape takes place, is subject to confinement in the State penitentiary or a jail or house of correction for an additional period not exceeding 10 years. The sentence imposed under this subsection shall be consecutive to any sentence which was being served at the time of the escape, or any sentence which had been imposed but was not yet being served at the time of sentencing on the escape. A sentence imposed under this subsection may not be suspended.

(b) An escapee who is convicted under subsection (a)(1) of this section is liable for all expenses incurred in the return of the escapee to the jurisdiction of the Division of Correction, State penitentiary, or a jail, house of correction, reformatory, station house, other place of confinement in this State, or the [Drug Abuse Administration] ALCOHOL AND DRUG ABUSE ADMINISTRATION. The Commissioner, sheriff, or director of the appropriate facility shall notify the returned escapee of any charges. A hearing shall be granted to any returned escapee who wishes to challenge the reasonableness of the charges. The Commissioner, sheriff, or director of the appropriate facility may establish appropriate rules, regulations, and procedures for charging an escapee with expenses, collecting those expenses, and for hearings to challenge those expenses.

DRAFTER'S NOTE:

Error: Obsolete terminology in Article 27, § 139(a)(1) and (b).

Occurred: As a result of Ch. 758, Acts of 1988, which combines the former Drug Abuse Administration with the